

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MURs 5694 and 5910
Americans for Job Security, Inc. et al.)

CERTIFICATION

I, Mary W. Dove, recording secretary of the Federal Election Commission executive session, do hereby certify that on February 25, 2009, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-3 to

- a. Find reason to believe that Americans for Job Security violated 2 U.S.C. §§ 433, 434, 441b, 441a(f) and 441d by failing to register as a political committee with the Commission, by failing to report contributions and expenditures, by knowingly accepting prohibited contributions and contributions in excess of \$5,000 and by failing to include proper disclaimers on its public political advertising.
- b. Find reason to believe that Americans for Job Security violated 2 U.S.C. §§ 441b and 441d by making expenditures for express advocacy communications and by failing to include proper disclaimers on them.
- c. Take no action at this time as to Michael Dubke and Fred Maas.
- d. Approve the Factual and Legal Analysis.
- e. Authorize the use of compulsory process with respect to all respondents and witnesses, including the issuance of appropriate interrogatories, document subpoenas, and deposition subpoenas, as necessary.
- f. Approve the appropriate letters.

Commissioners Bauerly, Walther and Weintraub voted affirmatively for the decision. Commissioners Hunter, McGahn II, and Petersen dissented.

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2. Decided by a vote of 4-2 to

take no further action.

Commissioners Hunter, McGahn II, Petersen, and Walther voted affirmatively for the decision. Commissioners Bauerly and Weintraub dissented.

3. Decided by a vote of 6-0 to

close the file and send the appropriate letters.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

February 27, 2009
Date

Mary W. Dove
Mary W. Dove
Secretary of the Commission

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